GOVERNMENT OF INDIA
EXTERNAL AFFAIRS
LOK SABHA

UNSTARRED QUESTION NO:789
ANSWERED ON:25.02.2009
US RESTRICTIONS ON H IB VISA HOLDERS
Patil Shri Pratik Prakashbapu

Will the Minister of EXTERNAL AFFAIRS be pleased to state:

(a) whether restrictions have been imposed by the US Government on hiring foreign workers holding H-IB Visas;

(b) if so, the details thereof;

(c) whether the Government has taken up the matter with the US Government; and

(d) if so, the outcome thereof?

Answer

MINISTER OF THE STATE IN THE MINISTRY OF EXTERNAL AFFAIRS (SHRI PRANAB MUKHERJEE)

(a)& (b) Yes. The US Government has imposed restrictions on hiring foreign workers with H-1B visas by US firms receiving bailout money under the Troubled Assets Relief Programme (TARP). Companies that have received federal bailout money are mostly banks, insurance companies and auto companies. The new guidelines require that a company receiving TARP funds and applying for workers under H-1B must operate as an `H-1B dependent company`.That means it should attest to actively recruiting American workers, not displacing American workers with H-1B visa holders; and not replacing laid off American workers with foreign workers. The H-1B dependent companies are those which have 15% of their workforce carrying H-1B visas.

(c) & (d) The Government of India is fully committed to protecting the interests of Indian professionals working in the US. In our regular interaction with the US Government,we have been conveyed that employment protectionism does not help the US or any other country,neither it is good for the global economic order. It has been our constant endeavour to sensitize the US authorities about the fact that India happens to be the largest contributor of highly skilled workers to the US economy and any protectionist policy would hurt the interest of US companies the most.